

LEGISLATURE OF NEBRASKA  
NINETY-SIXTH LEGISLATURE  
SECOND SESSION

**LEGISLATIVE BILL 1054**

Introduced by Jones, 43; Baker, 44; Kremer, 34; Schmitt, 41;  
Smith, 48

Read first time January 6, 2000

Committee: Education

A BILL

- 1 FOR AN ACT relating to the Board of Educational Lands and Funds; to
- 2 amend section 72-201, Revised Statutes Supplement, 1999;
- 3 to change membership requirements; to harmonize
- 4 provisions; and to repeal the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1           Section 1. Section 72-201, Revised Statutes Supplement,  
2 1999, is amended to read:

3           72-201. (1) The Board of Educational Lands and Funds  
4 shall consist of five members to be appointed by the Governor with  
5 the consent of a majority of the members elected to the  
6 Legislature. One member shall be appointed from each of the  
7 congressional districts as the districts were constituted on  
8 January 1, 1961, and a fifth member shall be appointed from the  
9 state at large legislative district containing the largest number  
10 of acres of school land at the time of appointment. One member of  
11 the board shall be competent in the field of investments, one  
12 member shall be a registered, licensed, certified residential, or  
13 certified general real estate appraiser, and one member shall be  
14 involved in production agriculture. If the member residing in the  
15 legislative district containing the largest number of acres of  
16 school land moves out of the legislative district, his or her seat  
17 shall become vacant. Appointments made after the effective date of  
18 this act shall be made in such a way that the member qualifications  
19 added by this legislative bill will be represented on the board as  
20 soon as possible. The initial members shall be appointed to take  
21 office on October 1, 1955, and shall hold office for the following  
22 periods of time: The member from the first congressional district  
23 for one year, the member from the second congressional district for  
24 two years, the member from the third congressional district for  
25 three years, the member from the fourth congressional district for  
26 four years, and the member from the state at large for five years.  
27 As the terms of the members expire, the Governor shall appoint or  
28 reappoint a member of the board for a term of five years, except

1 members appointed to fill vacancies whose tenures shall be the  
2 unexpired terms for which they are appointed. If the Legislature  
3 is not in session when such members, or some of them, are appointed  
4 by the Governor, such members shall take office and act as recess  
5 appointees until the Legislature next thereafter convenes. The  
6 compensation of the members shall be forty dollars per day for each  
7 day's time actually engaged in the performance of the duties of  
8 their office. Each member shall also be paid his or her necessary  
9 traveling expenses incurred while upon business of the board as  
10 provided in sections 81-1174 to 81-1177. The board shall cause all  
11 school, university, agricultural college, and state college lands,  
12 owned by or the title to which may hereafter vest in the state, to  
13 be registered, leased, and sold, as hereinafter provided, and shall  
14 have the general management and control of such lands, and make  
15 necessary rules not provided by law. The funds arising from these  
16 lands shall be disposed of in the manner provided by the  
17 Constitution of Nebraska, sections 72-201 to 72-251, and other laws  
18 of Nebraska not inconsistent herewith.

19 (2) No person shall be eligible to membership on the  
20 board who is actively engaged in the teaching profession, who holds  
21 or has any financial interest in a school land lease, who is a  
22 holder of or a candidate for any state office or a member of any  
23 state board or commission, or who has not resided in this state for  
24 at least three years.

25 (3) The board shall elect one of its members as  
26 chairperson of the Board of Educational Lands and Funds. In the  
27 absence of the chairperson, any member of the board may, upon  
28 motion duly carried, act in his or her behalf as such chairperson.

1 It shall keep a record of all proceedings and orders made by it.  
2 No order shall be made except upon the concurrence of at least  
3 three members of the board. It shall make all orders pertaining to  
4 the handling of all lands and funds set apart for educational  
5 purposes.

6 (4) The board shall maintain an office in Lincoln and  
7 shall meet in its office not less than once each month.

8 (5) The board may appoint a secretary for the board. The  
9 compensation of the secretary shall be payable monthly, as fixed by  
10 the board.

11 Sec. 2. Original section 72-201, Revised Statutes  
12 Supplement, 1999, is repealed.